

The Gazette of India



PUBLISHED BY AUTHORITY

No. 18] NEW DELHI, SATURDAY, MAY 6, 1961/VAISAKHA 16, 1883

NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 27th April 1961:—

Issue No.	No. and Date	Issued by	Subject
98	S.O. 912, dated 22nd April, 1961.	Election Commission, India.	Amendments in the Delimitations of Parliamentary and Assembly Constituencies Order, 1956.
99	S.O. 913, dated 22nd April, 1961.	Ministry of Information and Broadcasting.	Approval of films specified therein.
100	S.O. 914, dated 24th April, 1961.	Election Commission, India.	Designating each of the Parliamentary constituencies in Orissa specified therein and the officer specified therein to be the Returning Officer.
	S.O. 915, dated 24th April, 1961.	Do. . .	Amendment to Notification No. 434/9/56 (1), dated 7th January, 1957.
101	S.O. 916, dated 25th April, 1961.	Ministry of Commerce and Industry.	Granting recognition for further 3 years to the Punjab Company Limited, Bhatinda in respect of rapeseed and mustardseed subject to conditions specified therein.
102	S.O. 917, dated 26th April, 1961.	Election Commission, India.	Calling upon the Chatrapur constituency in Orissa to elect a person in the House of the People.
	S.O. 918, dated 26th April, 1961.	Do. . .	Appointing dates for the bye-election referred to in S.O. 917 above.
	S.O. 919, dated 26th April, 1961.	Do. . .	Fixation of time for the bye-election referred to in S.O. 917 above.
103	S.O. 920, dated 26th April, 1961.	Ministry of Finance	The Insurance (Amendment) Rules, 1961.

Issue No.	No. and Date	Issued by	Subject
104	S.O. 979, dated 26th April, 1961.	Ministry of Law	Declaration containing the name of the candidate elected in the Council of States by the elected members of the Uttar Pradesh Legislative Assembly.
105	S.O. 980, dated 26th April, 1961.	Election Commission, India.	Corrigendum to S.O. 856 dated 14th April, 1961.
106	S.O. 981, dated 26th April, 1961.	Ministry of Finance	Extending the period of moratorium in respect of the Bank of Kerala Ltd., Trivandrum.
	S.O. 982, dated 26th April, 1961.	Do.	Specification that 20th May, 1961 shall be the prescribed date on which the Bank of Kerala shall be amalgamated with the Canara Bank Ltd.
107	S.O. 983, dated 27th April, 1961.	Ministry of Law	Declaration containing the name of the Candidate elected by the elected members of the Legislative Assembly in the Council of States.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administrations of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 24th April 1961

S.O. 991.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951, the Election Commission hereby appoints Sub-divisional Officer, Aurangabad, and, Sub-divisional Officer, Gaya Sadar, in addition to the officer appointed by its notification No. 434/3/56(1), dated the 8th January, 1957, to assist the Returning Officer for Aurangabad Parliamentary Constituency in the performance of his functions.

[No. 434/3/61(1).]

New Delhi, the 25th April 1961

S.O. 992.—In exercise of the powers conferred by sub-section (1) of Section 22 of the Representation of the People Act, 1951 (XLIII of 1951), the Election Commission hereby appoints the following Officers, in addition to the Officer appointed by its notification No. 434/12/56(1), dated the 8th January, 1957, to assist the Returning Officer for 357—Sultanpur Parliamentary constituency in the performance of his functions:—

1. Sub-Divisional Magistrate, Kadipur.
2. Sub-Divisional Magistrate, Sultanpur.

[No. 434/12/60(1).]

New Delhi, the 26th April 1961

S.O. 993.—In pursuance of sub-rule (1) of rule 23 of the Registration of Electors Rules, 1960, the Election Commission hereby designates the Chief Electoral Officer of Tripura, as the officer to whom appeals shall lie from the decisions of the Electoral Registration Officer for the Tripura Parliamentary Constituency.

[No. 429/61(2)/TP.]

By Order,

PRAKASH NARAIN, Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 20th April 1961

S.O. 994.—In exercise of the powers conferred by Sub-Section (I) of Section 5 of the Indian Emigration Act, 1922, the Controller General of Emigration has been pleased to appoint Shri G. Sukumaran, Public Relations Officer (Emigration) Regional Passport and Emigration Office, Bombay, to perform all the duties of the Protector of Emigrants under the said Act at the port of Bombay with effect from the forenoon of the 18th March, 1961, vice Shri K. Narayanaamoorti.

[No. CPEO/35/61.]

N. K. GHOSE, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Office of the Controller of Capital Issues)

New Delhi, the 26th April 1961

S.O. 995.—In exercise of the powers conferred by sub-section (1) of section 6 of the Capital Issues (Control) Act, 1947 (29 of 1947), the Central Government hereby exempts the Industrial Credit and Investment Corporation of India Limited from the provisions of section 3 and 5 of the said Act in respect of the Promissory Notes of the value not exceeding the equivalent of U.S. \$5,000,000 (five million dollars) executed and delivered by the said Corporation to or on the order of the Development Loan Fund, Washington, in terms of the Loan Agreement, dated the 23rd March, 1961, entered into between the said two parties.

[No. R. 155-CCI/61.]

A. BAKSI,
Controller of Capital Issues.

(Department of Revenue)

CUSTOMS

New Delhi, the 6th May 1961

S.O. 996.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby entrusts to the following officers of the Minicoy Island the functions of officers of Customs under sections mentioned against each of the said Act, namely:—

(1) Tehsildar	Sections 169, 170, 170A, 171, 171A, 173 and 178.
(2) Sub-Inspector of Police	Sections 169, 170, 170A, 171, 171A, 173 and 178.
(3) Head Constables	Sections 169, 170, 170A, 171, 173 and 178.
(4) Constable	Sections 169, 170, 170A, 171, 173 and 178.

[No. 52/F. No. 100/20/59-L.C.I.]

M. C. DAS, Dy. Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 27th April 1961

S.O. 997.—In exercise of the powers conferred by sub-section (6) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby makes the following further amendments in the schedule annexed to its notification No. 44-IT dated the 1st July 1922:—

In the said schedule for the existing entries in columns 3—6, the following entries shall be substituted:—

Against serial Nos:

3	4	5	6
25A. I.T.O. Distt. IIIA Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
25B. Do.	Do.	Do.	Do.
25C. Do.	Do.	Do.	Do.
28. I.T.O. Distt. IIIA Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
30. I.T.O. Distt. IIIA Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
32. I.T.O. Distt. IIIA Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
32A. Do.	Do.	Do.	Do.
32B. Do.	Do.	Do.	Do.
33. I.T.O. Central Salaries Circle Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
34. I.T.O. Railway and Misce- llaneous Salaries Cir- cle Calcutta	I.A.C. Range—VIII Calcutta	A.A.C. D—Range Calcutta	C.I.T. Calcutta
35. I.T.O. Railway and Misce- llaneous Salaries Cir- cle Calcutta	I.A.C. Range—VIII Calcutta	A.A.C. D—Range Calcutta	C.I.T. Calcutta
36. Do.	Do.	Do.	Do.
37. Do.	Do.	Do.	Do.
38. Do.	Do.	Do.	Do.
38A. Do.	Do.	Do.	Do.
39. I.T.O. Distt. V(A) Calcutta	I.A.C. Range—VIII Calcutta	A.A.C. D—Range Calcutta	C.I.T. Calcutta
40. Do.	Do.	Do.	Do.
40A. I.T.O. Distt. III(A) Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. D—Range Calcutta	C.I.T. West Bengal, Calcutta
40B. I.T.O. Distt. V(A) Calcutta	I.A.C. Range—VIII Calcutta	A.A.C. D—Range Calcutta	C.I.T. Calcutta
40C. Do.	Do.	Do.	Do.
40D. Do.	Do.	Do.	Do.

	(3)	(4)	(5)	(6)
40E.	I.T.O. Distt. III(3) Calcutta	I.A.C. Range—XI Calcutta	A.A.C. A—Range Calcutta	C.I.T. West Bengal Calcutta
40F.	I.T.O. Distt. V(A) Calcutta	I.A.C. Range—VIII Calcutta	A.A.C. D—Range Calcutta	C.I.T. Calcutta
40G.	Do.	Do.	Do.	Do.
77(44)	I.T.O. Cooch Behar	I.A.C. Range—VII Calcutta	A.A.C. Jalpaiguri	C.I.T. West Bengal Calcutta
78(b)	I.T.O. Foreign Section Calcutta	I.A.C. Range—XIV Calcutta	A.A.C. C—Range Calcutta	C.I.T. West Bengal Calcutta

[No. 22 (F. No. 55/245/60-IT.]

D. V. JUNNARKAR, Under Secy.

LAND CUSTOMS

New Delhi, the 6th May 1961

S.O. 998.—In exercise of the powers conferred by clause (a) of section 11 of the Sea Customs Act, 1878 (8 of 1878), the Central Board of Revenue hereby declares that the place known as Minicoy Island in the Arabian Sea off the Coast of Malabar, shall be a port for the shipment and landing of goods.

[No. 3|F. No. 100|20|59-L.C.I.]

M. C. DAS, Secy.

BOMBAY CENTRAL EXCISE COLLECTORATE

CENTRAL EXCISES

Bombay, the 4th April, 1961

S.O. 999.—In exercise of the powers conferred upon me by rule 5 of the Central Excise Rules, 1944, and in supersession of the Collectorate Notification No. CER/5/5/60-Central Excise, dated the 25th November, 1960, I hereby empower the Central Excise Officers of and above the rank specified in column 2 of the sub-joined table, to exercise within their respective jurisdictions the powers of 'Collector' under the Central Excise Rules enumerated in Column 1 thereof subject to the limitations set out in column 3 of the said table:—

TABLE

	Central Excise Rules	Rank of officer	Limitations, if any
	(1)	(2)	(3)
92-A(1)	• • •	All officers of and above the rank of Superintendent of Central Excise.	..
92-A(2)	• • •	Do.	..
92-A(3)	• • •	All officers of and above the rank of Assistant Collector, Central Excise.	..

	(1)	(2)	(3)
92-A(4)		All Officers of and above the rank of Superintendent of Central Excise.	(i) Power for accepting renewal application in form A.S.P. shall be exercised by the Superintendent. (ii) Where the delay in presenting the A.S.P. Application is not more than 15 days, the Supdt. shall exercise the power for condoning the delay. (iii) Where the delay in presenting the A.S.P. application exceeds 15 days, the Assistant Collector shall exercise the power for condoning the delay.
2-C(2)		All Officers of and above the rank of Superintendent of Central Excise.	(i) The Superintendent shall exercise the powers for condoning delay in filing A.R. & application provided such delay is not exceeding (i) 2 days in the case of weekly applications and weekly deposits, and (ii) 5 days in the case of monthly applications and monthly deposits. (ii) The Assistant Collector shall exercise the powers for condoning the delays exceeding the limits specified under (i) above.
92-E(iii)		All Officers of and above the rank of Assistant Collector of Central Excise.	..

[No. CER/5/2/61]

CENTRAL EXCISE
MANUFACTURED PRODUCTS *

Bombay, the 28th April, 1961

S.O. 1000.—In exercise of the powers conferred upon me under Rule 5 of the Central Excise Rules, 1944, and in supersession of the Collectorate Notification No. CER/-96-0 and Q/1/61 dated the 8th February, 1961, I hereby empower the Central Excise officers of and above the rank specified in col. 2 of the subjoined table to exercise, within their respective jurisdictions, the powers of 'Collector' under the Central Excise Rules enumerated in col. 1 thereof, subject to the limitations set out in col. 3 of the said table:—

TABLE

C. Ex. Rules	Rank of officer	Limitations, if any
(1)	(2)	(3)
96—o(1)	All officers of and above the rank of Superintendent of Central Excise.	..
96—o(2)	Do.	..

(1)	(2)	(3)
96—O(3)	All officers of and above the rank of Assistant Collector of Central Excise.	..
96—O(4)	All officers of and above the rank of Superintendent of Central Excise.	(1) Power of accepting renewal application inform A.S.P. shall be exercised by the suptd. (2) Where the delay in presenting the A.S.P. application is not more than 15 days the Suptd. shall exercise the power for condoning the delay. (3) Where the delay in presenting the A.S.P. application exceeds 15 days, the Asstt. Collr. shall exercise the power for condoning the delay.
96 Q(2)	All officers of and above the rank of superintendent of Central Excise.	(i) The Supdt. shall exercise power for condoning the delay in filing A.R. & application and making deposits provided such delay is not exceeding (i) 2 days in the case of weekly applications and weekly deposits and (ii) 5 days in the case of monthly applications and monthly deposits. (ii) The Assistant Collector shall exercise the power for condoning the delays in such cases, exceeding the limits specified under (i) above.
96 S (iii)	All officers of and above the rank of Assistant Collector, Central Excise.	..

[No. CER/5/3/61.]

G. KORUTHU, Collector.

OFFICE OF THE ASSISTANT COLLECTOR OF CENTRAL EXCISE & LAND CUSTOMS, GOA FRONTIER DIVISION, BELGAUM

NOTICES

Belgaum, the 28th April 1961

S.O. 1001.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border, were about to be exported by land to Goa (Portuguese possession in India) in contravention of the Rules and Notifications as mentioned against each:

Sl. No.	Date & Place of seizure	By whom detected	Description of the goods	Quantity	Rules contravened
1	2	3	4	5	6
14/61	17-11-1960 Dha- ri Jungle Path.	Sub-Inspector of Central Ex- cise, Flying Squad, Supa and his staff.	(1) Dhoti (super-fine) 8 yds (2) Shahapuri Hand-loom series 5 yds. (3) Do. 9 yds. (4) Printed veil (white) sa- ries 5 yds. (5) Printed veil series 5 yds (6) Printed cloth pieces of 2 yds. each with border	one pair eight two two 25 three	Sec. 5(i) of the Land Customs Act, 1924, and Govt. of India Ministry of Commerce & In- dustry Export Control Order No. 1/58 dt. 1-5-1958 issued

(1)	(2)	(3)	(4)	(5)	(6)
(7)	Art silk saries 5 yds. (various colours)	29	under Sec. 3 & 4-A of the Imports & Exports control Act, 1947,		
(8)	Art silk choli khan pieces	12	and further		
(9)	Cloth pieces four	5 $\frac{1}{2}$ yds.	deemed to have		
(10)	Art silk saries 9 yds. & 6 yds.	Two	been issued under Sec. 19 of		
(11)	Ready made Bush Shirt (Small size)	One	the Sea Customs Act, 1878.		
(12)	Half pant (small)	One			
(13)	Cotton saries 3 yds.	Eight			
(14)	Printed voil saries 5 yds.	Nine			
(15)	Printed saries 9 yds.	Eight			
(16)	Gangavana (superior quality)	28			
(17)	Black thread bundles	6			
(18)	Best steel weighing scale with hook. (to weigh 20 kg.)	One			
(19)	Plastic dolls (small size)	16			
(20)	Immitation pearls	12			
(21)	Glass pearls	54			
(22)	Rubber balloons	One			
		bundle			
(23)	Immitation pearls	6			
(24)	Mangalsutra like	four			
(25)	B. S. C. (small size) shoes No. 8.	Two pairs			
(26)	No. 7 Bata shoes	One pair			
(27)	Stainless steel cup and plate	One set			
(28)	Dynamic microphone Model No. 33 D (Made in U. S. A.)	One			
(29)	Microphone wire 8401	6 Yds.			
(30)	De luxe long play needles (made in India)	Two boxes.			
(31)	Stainless steel plates	Two			
(32)	Plastic bangles 4 Dozens	48 nos.			
(33)	Leather packets with chain (big size)	24			
(34)	Leather packets (small size)	68			

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum, why the above-mentioned goods should not be confiscated under Sec. 5(3) of the Land Customs Act, 1924, read with Sec. 167(8) and 168 of the Sea Customs Act, 1878, and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924 read with Sec. 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above mentioned goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-14/61.]

S.O. 1002.—Whereas it appears that the goods as mentioned in the under-mentioned table seized in the vicinity of the Indo-Goa border were imported by

land from Goa (Portuguese possessions in India) in contravention of the Rules and Notifications as mentioned against each.

Sl. No.	Date & place of seizure	By whom detected	Description of goods	Quantity	Rules contravened
1	2	3	4	5	6
89/61	8-2-1961 Baith-khol Wharf.	Inspector, Central Excise, Karwar Customs House and his Staff.	(1) House of Lords the original Scotch Whisky. (2) Monterra's Brandy (3) Old smuggler fine Scots whisky. (4) Black & White whisky bottles (5) Trunks	12 bottles 23 bottles 5 bottles 18 bottles Three	Sec. 5(1) of the Land Customs Act, 1924 and Govt. of India, Ministry of Commerce & Industry Import Control Order No. 17/55 dt. 7-12-1955 issued under Sec. 3 & 4-A of the Imports & Exports Control Act, 1947 & further deemed to have been issued under Sec. 19 of the Sea Customs Act, 1878.

2. Now, therefore, any person claiming the goods is hereby called upon to show cause to the Assistant Collector of Central Excise and Land Customs, Goa Frontier Division, Belgaum why the above-mentioned goods should not be confiscated under Section 5(3) of the Land Customs Act, 1924 read with Section 167(8) and 168 of the Sea Customs Act, 1878 and why a penalty should not be imposed on him under Section 7(1)(c) of the Land Customs Act, 1924, read with Section 167(8) of the Sea Customs Act, 1878.

3. If such an owner fails to turn up to claim the above-mentioned unclaimed goods or to show cause against the action proposed to be taken within 30 days from the date of publication of this notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. VIII(b)10-89/61.]

H. R. JOKHI, Assistant Collector.

MINISTRY OF COMMERCE AND INDUSTRY

ORDER

New Delhi, the 28th April 1961

S.O. 1003/IDRA/6/3.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be members of the Development Council for the scheduled industries engaged in the manufacture or production of Non-ferrous Metals including Alloys (and semi-manufactures thereof) for a period of two years with effect from the date of this Order, on the expiry of the term of office of members appointed under the Government of India,

Ministry of Commerce and Industry Order No. S O 954 dated the 25th April, 1959, as amended from time to time:—

S. No.	Name and address of the Member	Interest Represented
1	Dr. D. P. Antia, Union Carbide India Ltd., Ilaco House, 1 & 3 Brabourne Road, Post Box 2170, Calcutta—1. —Chairman.	Technical Knowledge.
2	Shri K. K. Bhasin, Manager, The Aluminium Corporation Owners of India Ltd., 7, Council House Street, Calcutta.	Do.
3	Shri F. A. Jasdanwalla, Manager, The Indian Standard Metal Co. Ltd., 1 S M. Estate, Chinchpokli Cross Lane, Bombay—27.	Do.
4	Shri G. D. Binami, 38, Strand Road, Calcutta—1.	Do.
5	Shri A. C. Dutta, The Metal Corporation of India Ltd., 135, Canning Street, 3rd Floor, Calcutta—1.	Do.
6	Mr. W. J. Woodhouse, C/o The Eyre Smelting (P) Ltd., Tandem Works, Post Box 10602, Calcutta—23.	Do.
7	Dr. A. G. Tendulkar, Director, Koyna Aluminium Project, C/o Tendulkar Industries Pvt. Ltd., Stadium House, Veer Nariman Road, Bombay.	Do.
8	Shri R. M. Hannah, Works Manager, Indian Copper Corporation, Ghatsila P.O. Distt. Singhbhum (Bihar State).	Do.
9	Shri A. L. Subharwal, General Manager, Indian Aluminium Co. Ltd., 31, Chowringhee Road, Calcutta—16.	Do.
10	Shri R. L. Chisholm, Venesta Limited, P.O. Kamarhatti, 24 Parganas (West Bengal).	Do.
11	Shri Ramon Lal Shah, Managing Director, Metal Rolling Works (P) Ltd., Sion, Metturka Estate, Sion, Bombay.	Do.
12	Shri B. K. Nevetia, Managing Director, Indian Smelting & Refining Co. Ltd., Industry House, 159, Jamshedji Tata Road, Churchgate Reclamation, Bombay—1.	Do.
13	Dr. D. Swarup, Principal, College of Mining & Metallurgy, Benaras Hindu University, Benaras (India).	Technical Knowledge.
14	Shri M. L. Sethi, Director of Mines & Geology, Government of Rajasthan Uddajpur.	Do.
15	Executive Director, National Productivity Council, 38, Golf Links, New Delhi.	Do.
16	Shri P. C. N. Majumdar, Chief Metallurgist, Kamani Metals & Alloys Ltd., Kamani Chambers, Nicol Road, Ballard Estate, Bombay.	Do.
17	Shri S. D. Firke, Metallurgist, National Pipes & Tubes Co. Ltd., Stephen House, 4, Dalliwala Sq., East, Calcutta.	Do.
18	Dr. P. Dayal, Development Officer (Metals), Development Wing, New Delhi.	Do.
19	Shri B. S. Krishnamachar, Assistant Director (S&M) Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi.	Do.
20	Dr. B. R. Nijhawan, Director, National Metallurgical Laboratory, Jamshedpur.	Do.
21	Shri K. Venugopal, National Council of Applied Economic Research, 11, Ring Road, Indra Prastha Estate, New Delhi—1.	Do.
22	Shri V. G. G. Nayar, M/s. Aluminium Industries Ltd., Kundara.	Consumers
23	Shri H. M. Chatterjee, Joint Director, Railway Stores (Development), Railway Board, New Delhi	Do.

S. No.	Name and address of the Member	Interest Represented
24	Shri P. S. Shavaksha, Managing Director, Indian Cable Co. Ltd., 9, Hare Street, Calcutta.	Consumers
25	Shri D. D. Desai, M/s. Power Cable (P) Ltd., Thackersey House, Graham Road, Ballard Estate, Bombay.	Do.

[No. 1(11)IA(IV)/80.]

D. HEJMADI, Dy. Secy.

ORDERS

New Delhi, the 28th April 1961

S.O.1004.IDRA/6/9.—In exercise of the power conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints the following persons to be members of the Development Council for the Scheduled industries engaged in the manufacture or production of Internal Combustion Engines, Power Driven Pumps, Air Compressors and Blowers, for a period of two years with effect from the date of this Order, on the expiry of the tenure of office of members appointed under the Government of India, Ministry of Commerce and Industry Order No. S.O. 956 dated the 27th April, 1959, as amended from time to time:—

S. No.	Name and address of the Member	Interest Represented
1	Shri S. L. Kirloskar, M/s. Kirloskar Oil Engines Ltd., Elphinstone Road, Kirkee, Poona—(Chairman)	Owners
2	Shri M. M. Doshi, Cooper Engg. Ltd., Satara Road (Southern Railway), Bombay State.	Do.
3	Shri Nanu B. Amin, Managing Director, M/s. Jyoti Ltd., Baroda.	Do.
4	Shri Bhagwat Prasad Mittal, M/s. Hindustan Industrial Corporation, K-40, Connaught Circus, New Delhi.	Do.
5	Shri Rangaswami, M/s. Aeronautical Services of India Ltd., 31, Chittaranjan Avenue, Calcutta.	Do.
6	Shri M. M. Kale, M/s. Lakshmiratan Engg. Works, No. 1, Industrial Area, Faridabad.	Do.
7	Shri Balasundaram, M/s. Textools Ltd., Coimbatore	Do.
8	Shri J. R. Bammi, M/s. Johnston Pumps (India) Ltd., Calcutta.	Do.
9	Shri K. K. Jajodia, M/s. Roger Engg. Works Ltd., 5, Kisendayal Jalan Road, Howrah.	Do.
10	Shri K/G. Khosla, M/s. K. G. Khosla & Co., No. 1, Deshbandhu Gupta Road, New Delhi.	Do.
11	M/s. Hellandsjo, M/s. Atlas Copco India Ltd., M/s. Indian Mercantile Chambers, Nicol Road, Ballard Estate, Bombay.	Do.
12	Shri K. Lall, M/s. Consolidated Pneumatic Co. Ltd., 301/302, Agra Road, Mulund, Bombay-20.	Do.
13	Shri Lalbhai Jivram Gajjar, M/s. & Blower Co., Naroda Road, Ahmedabad.	Do.
14	Shri M. K. Swami, M/s. Goetze India Ltd., Pratap Building, Connaught Circus, New Delhi.	Do.
15	Shri Char, M/s. Fuel injections Ltd., No. 43, Forbes Street, Fort, Bombay.	Do.

S. No.	Name and address of the Member	Interest Represented
16	Shri B. R. Sule, Chief Engineer, M/s. Mahindra & Mahindra Ltd., Gateway Building, Apollo Bunder, Bombay.	Technical Knowledge
17	Dr. Lal C. Verman, Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi-1.	Do.
18	Shri M. R. K. Rao, Prof. & Head of the Depit. of Internal Combustion Engg., Indian Institute of Science, Bangalore.	Do.
19	Executive Director, National Productivity Council, 38, Golf Links, New Delhi.	Do.
20	Shri R. K. Balbir, Deputy Director, Directorate of Export Promotion, Ministry of Commerce & Industry, Udyog Bhavan, New Delhi.	Do
21	Shri A. D. Bohra, Director (Ancillary), Office of the Development Commissioner, Small Scale Industries, Udyog Bhavan, New Delhi.	Do.
22	Shri K. Chidambaram, Assistant Fisheries Development Adviser, Ministry of Food & Agriculture, Krishi Bhavan, New Delhi.	Do.

[No.1(2)IA(IV)/60]

New Delhi, the 29th April 1961

S.O. 1005/IDRA/6/15.—In exercise of the powers conferred by section 6 of the Industries (Development & Regulation) Act, 1951 (65 of 1951), the Central Government hereby appoints the following persons to be the members of the Development Council established by the Order of the Government of India in the Ministry of Commerce and Industry, No. S.O. 2877, dated the 28th November, 1960, for the scheduled industries engaged in the manufacture or production of Organic Chemicals, till the 27th November, 1962 and directs that the following amendments shall be made in the said Order, namely:—

(a) In paragraph 1 of the said Order, after entry No. 13 relating to Sq. Ldr. D. S. Majithia, the following entries shall be inserted, namely:—

"13A. Shri Arvind Mafatlal, Managing Director, Standard Mills Co. Ltd., Mafatlal House, Backway Reclamation, Bombay. Owners"

"13B. Dr. K. S. Khandheria, Executive Director, The Industrial Corporation Ltd., (Bihar Sugar Works), P.O. Pachrukhi, Distt. Saran, N.E. Rly. (Bihar). Owners"

(b) In paragraph 1 of the said Order, after entry No. 18 relating to Shri Joginder Singh, the following entries shall be inserted, namely:—

"18A. Shri B. B. Ramiah, The Andhra Sugars Ltd., Post Box No. 2, Tanaku, West Godavari Distt. (Andhra Pradesh). Technical knowledge."

"18B. Dr. H. E. Eduljee, Chief Chemical Engineer, Nowroji Wadia & Sons (P) Ltd., Neville House, Graham Road, Ballard Estate, Bombay-1. Technical knowledge."

[No. 1(3)IA(IV)/60.]

New Delhi, the 1st May 1961

S.O. 1006/IDRA/6/8.—In exercise of the powers conferred by section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951), read with Rules 4 and 5 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby establishes a Development Council for the scheduled industries engaged in the manufacture or production of inorganic Chemicals in place of the Development Councils for Alkalies & Allied Industries and for Acids & Fertilizers, established under this Ministry's Orders No. S.O. 953, dated the 24th

April, 1959 and 955, dated the 27th April, 1959 respectively, and appoints the following persons to be members of the said Council for a period of two years with effect from the date of this Order:—

S. No.	Name and address of the Member	Interest Represented
1.	Shri C. R. Rao, Technical Director, Tata Chemicals Ltd., Bombay House, Bruce Street, Fort Bombay-I. (Chairman).	Owners
2.	Shri V. N. Kasturirangan, General Superintendent, The Fertilizers & Chemicals Travancore Ltd., P.O. Udyogmandal, Alwaye, (Kerala State).	Do.
3.	Shri D. R. Morarji, The Dharmasi Morarji Chemical Co. Ltd., 317-21, Prospect Chambers, Dr. Dadabhoi Naoroji Road, Fort Bombay.	Do.
4.	Shri B. C. Mukherjee, Chairman & Managing Director, Fertilizer Corporation of India, 157/48, Chanakyapuri, New Delhi.	Do.
5.	Shri Premchand Jain, Dhrangadhra Chemical Works Ltd., 15-A, Horniman Circle, Bombay.	Do.
6.	Shri M. M. Gurunath, Tuticorin Salt Refineries Ltd., 3, Lakshmana Chettiar Street, T' nagar, Madras-17.	
7.	Shri J. J. Tana, C/o M/s Jamnadas Madhoji & Co., Rep. M/s. Halar Salt & Chemical Works, 84, Kazi Syed Street, Bombay.	Do.
8.	Managing Director, Hindustan Salt Company, Jaipur (Rajasthan).	Do.
9.	Gopalkrishna Singhania, J. K. Chemicals Ltd., Dougall Road, Ballard Estate, Bombay.	Do.
10.	Shri K. S. Narayanan, Director, Industrial Chemicals Ltd., 3/1, Cathedral Road, Madras.	Do.
11.	Shri S. Ramaswamy, General Superintendent, M/s Mettur Chemical & Industrial Corporation Ltd., Mettur Dam R. S., Mettur (Madras State).	Do.
12.	Dr. A. N. Ghosh, Joint Director, Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi.	Technical Knowledge
13.	Shri J. P. Kapur, D.C.M. Chemical Works, Najafgarh Road, Delhi.	Do.

S. No.	Name and address of the Member	Interest Represented
14.	Dr. B. V. Bhuta, Dorr-Oliver (India) Ltd., The International, 16, Queen's Road, Estate, Bombay-1.	Technical Knowledge
15.	Shri G. Rama Rao, National Council of Applied Economic Research, 11, Ring Road, Indraprastha Estate, New Delhi-1.	Do.
16.	Shri S. K. Vakil, Works Manager, Saurashtra Chemicals, Porbandar, Gujarat State.	Do.
17.	Shri S. Gylseth, Representative of Norwegian Industries in India, 14, Netaji Subhas Road, Calcutta (W. Bengal).	Do.
18.	Shri V. Rama Iyer Development Officer, Development Wing, Ministry of Commerce and Industry, Udyog Bhavan, New Delhi.	Do.
19.	Dr. M. D. Parekh, General Manager (Technical) The National Rayon Corporation Ltd., Ewart House, Bruce Street, Fort, Bombay-1.	Consumers
20.	Shri C. R. Ranganathan, Executive Director, The Fertilizer Association of India, 85, Sundernagar, New Delhi.	Do.
21.	Shri K. H. Parikh, General Manager Vibhuti Glass Works, Ramnagar, Varanasi (U.P.)	Do.

[No. 1(9)IA(IV)/60.]

J. S. BAKHSI, Under Secy.

(Office of the Jt. Chief Controller of Imports & Exports)

NOTICE

Bombay, the 24th March 1961

S.O. 1007.—It is hereby notified that in exercise of the powers conferred by Clause 9(a) of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce & Industry propose to cancel the following licence which was obtained fraudulently by manipulating a bogus Income Tax Verification Certificate:—

Licence No. and Date	Value
E. 462393 Dt. 11-7-60	Rs. 500 for the import of

Packing and Wrapping Paper from the Soft Currency Area except the Union of South and South West Africa granted by the Jt. Chief Controller of Imports & Exports, Nou Bhavan, Ballard Estate, Bombay, to M/s. Prabhat Trade and Industries, 11, Gola Lane, Bombay-1, unless sufficient cause against this is furnished

to the Deputy Chief Controller of Imports and Exports, Nou Bhavan, Ballard Estate, Bombay, within ten days of the date of issue of this notice by the said M/s. Prabhat Trade & Industries, 11, Gola Lane, Bombay-1, or any Bank or any other party who may be interested in it.

In view of what is stated above, M/s. Prabhat Trade & Industries, Bombay-1 or any Bank or any other party who may be interested in the said licence No. E. 462393, dt. 11th July, 1960, are hereby directed not to enter into any commitments against the said licence.

[No. 1/244/60/CDN.II.]

(Office of the Jt. Chief Controller of Imports and Exports)

ORDER

Bombay, the 11th April 1961

S.O. 1008.—Whereas M/s. Haji Ibrahim & Co., Mangaldas Building, Mangaldas Road, Bombay-2, or any Bank or any other person have not come forward furnishing sufficient cause, against Notice No. 1/315/60/CDN.II, dated the 2nd March, 1961, proposing to cancel licence Nos. E-512141, dated the 24th May, 1960 and E-429999, dated the 12th December, 1960, valued at Rs. 9,439 and Rs. 9,439 respectively for the import of Ultramarine Blue from the General Currency Area except Union of South and South West Africa, granted to the said M/s. Haji Ibrahim & Co., Mangaldas Bldg., Mangaldas Road, Bombay-2, by the Jt. Chief Controller of Imports & Exports, Government of India, in the Ministry of Commerce and Industry, in exercise of the powers conferred by clause 9 of the Imports (Control) Order, 1955, hereby cancel the said licence Nos. E. 512141, dated the 24th May, 1960 and E-429999, dated the 12th December, 1960, issued to the said M/s. Haji Ibrahim & Co., Mangaldas Bldg., Mangaldas Road, Bombay-2.

[No. 1/315/60/CDN.II.]

N. H. NAGARWALLA,
Dy. Chief Controller of Imports & Exports.

(Indian Standards Institution)

New Delhi, the 27th April 1961

S.O. 1009.—In pursuance of sub-regulation (3) of regulation 7 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the marking fee per unit for certain products details of which are given in the Schedule hereto annexed, has been determined and the fee shall come into force with effect from 15th May 1961.

THE SCHEDULE

Sl. No.	Product/Class of Products	No. and title of relevant Indian Standard	Unit	Marking Fee per Unit
1.	Trisodium Phosphate, Technical	IS: 573-1954 Specification for Trisodium Phosphate, Technical	One Tonne	Rs. 1.00
2.	Small AC and Universal Electric Motors	IS: 996-1959 Specification for Small AC and Universal Electric Motors with Class 'A' Insulation	One Motor	25 nP. per unit with a minimum of Rs. 750.00 for production during a calendar year.
3.	Aldrin Emulsifiable Concentrates	IS : 1307/1958 Specification for Aldrin Emulsifiable Concentrates	One Litre	3 nP. per unit with a minimum of Rs. 1,000.00 for production during a calendar year.
4.	Endrin Emulsifiable Concentrates	IS: 1310-1958 Specification for Endrin Emulsifiable Concentrates	One Litre	Do.

[No. MD/18:2.]

S.O. 1010.—In pursuance of sub-rule (1) of rule 4 of the Indian Standards Institution (Certification Marks) Rules, 1955, the Indian Standards Institution hereby notifies that the Standard Marks, designs of which together with the verbal description of the design and the titles of the relevant Indian Standards are given in the Schedule hereto annexed, have been specified.

These Standard Marks, for the purpose of the Indian Standards Institution (Certification Marks) Act, 1952 and the rules and regulations framed thereunder, shall come into force with effect from 15th May 1961.

THE SCHEDULE

Sl. No.	Design of the Standard Mark	No. and title of relevant Indian Standard	Verbal description of the design of the Standard Mark
(1)	(2)	(3)	(4)
1.	 IS:996	IS: 996-1959 Specification for Small AC and Universal Electric Motors.	The monogram of the Indian Standards Institution, consisting of letters ISI, drawn in the exact style and relative proportions as indicated in column (2), the number designation of the Indian Standard being superscribed on the top side of the monogram as indicated in the design.
2.	 IS:573	IS: 573-1954 Specification for Trisodium Phosphate, Technical.	Do.
3.	 IS:1307	IS: 1307-1958 Specification for Aldrin Emulsifiable Concentrates.	Do.
4.	 IS:1310	IS: 1310-1958 Specification for Endrin Emulsifiable Concentrates.	Do.

[No. MD/17.2.]

C. N. MODAWAL, Dy. Director, (Marks).

MINISTRY OF FOOD AND AGRICULTURE

(Department of Agriculture)

New Delhi, the 29th April 1961

S.O. 1011.—In pursuance of clause (a) of section 2 of the Livestock Importation Act, 1898 (9 of 1898) and in supersession of the notification of the Government of India in the Ministry of Food and Agriculture (Department of Agriculture) No. S.O. 1998, dated the 20th July, 1960, published on pages 2254-2255 of Part II Section 3(ii) of the Gazette of India, dated the 18th August, 1960, the Central Government hereby specifies the following diseases or disorders to be infectious or contagious disorders for the purposes of the said Act, namely:—

1. African horsesickness
2. Anaplasmosis

3. Aujeszky's disease
4. Avian leucosis complex
5. Babesiosis
6. Bacillary white diarrhoea
7. Black head in turkeys (Histomoniasis)
8. Bluetongue in sheep
9. Brucella infections
10. Canine distemper
11. Chronic respiratory disease of poultry
12. Contagious coryza of poultry
13. Contagious agalactia
14. Contagious caprine pleuropneumonia
15. Contagious bovine pleuropneumonia
16. Contagious equine pleuropneumonia
17. East coast fever
18. Epidemic tremor
19. Epizootic lymphangitis
20. Equine encephalomyelitis
21. Equine infectious anaemia
22. Fowl cholera
23. Fowl plague
24. Fowl pox
25. Fowl typhoid
26. Glanders
27. Heariwater
28. Infectious bronchitis
29. Infectious laryngo-tracheitis
30. Jigger disease
31. Johne's disease
32. Leishmaniasis
33. Leptospira infections
34. Louping ill
35. Malignant catarrhal fever
36. Newcastle disease
37. Orf
38. Piroplasmosis (Babesiosis)
39. Psittacosis
40. Rabies
41. Rinderpest
42. Scrapie
43. Spirochaetosis
44. Sporotrichosis
45. Swine erysipelas
46. Swine influenza
47. Swine fever
48. Swine plague
49. Teschen disease
50. Trypanosomiasis
 - (i) Dourine
 - (ii) Mal de Caderas
 - (iii) Surra
51. Tuberculosis
52. Ulcerative lymphangitis

53. Vesicular stomatitis
 54. Virus hepatitis of ducks
 55. Virus pneumonia of pigs.

[No. F. 21-34/55-LS.]

K. C. SARKAR, Under Secy.

(Department of Agriculture)

(Indian Council of Agricultural Research)

New Delhi, the 28th April 1961

S.O. 1012.—On return from leave, Dr. J. S. Patel, Agricultural Commissioner with the Government of India has been renominated by the Central Government under Section 4(3) of the Indian Lac Cess Act, 1930 (No. XXIV of 1930) as the Chairman of the Governing Body of the Indian Lac Cess Committee with effect from 15th April, 1961 (A.N.) vice Dr. S. M. Sikka.

[No. 3-33/61-Com.III.]

J. VEERA RAGHAVAN, Under Secy.

MINISTRY OF HEALTH

New Delhi, the 29th April 1961

S.O. 1013.—The Inter-University Board having elected, in exercise of the powers conferred by clause (a) of section 3 of the Pharmacy Act, 1948 (8 of 1948), Dr. R. P. Patel, Principal, L. M. College of Pharmacy, Gujarat University, Ahmedabad-9, as a member of the Pharmacy Council of India, in the place of Shri M. L. Schroff, who is deemed to have vacated his seat under sub-section (3) of section 7 of the said Act, the Central Government, in exercise of the powers conferred by section 3 of the said Act, hereby makes the following further amendment in the notification of the Government of India in the Ministry of Health, No. F. 7-23/59-D dated the 21st December, 1959, namely:—

In the said notification, under the heading "I. Elected by the Inter-University Board under clause (a)" for the existing entry at serial No. 2 the following entry should be substituted, namely:—"2. Dr. Ratilal Prabhudas Patel, M.Sc., Ph.D., Principal, L. M. College of Pharmacy, Gujarat University, Ahmedabad-9".

[No. F. 7-23/59-D.]

D. J. BALARAJ, Dy. Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Department of Transport)

(Transport Wing)

New Delhi, the 29th April 1961

S.O. 1014.—In exercise of the powers conferred by sub-section (1) of section 63A of the Motor Vehicles Act, 1939 (4 of 1939) read with sub-rule (3) of rule 3 of the Inter-State Transport Commission Rules, 1960, the Central Government hereby appoints Shri K. Srinivasan, Deputy Secretary, Ministry of Transport and Communications (Department of Transport), as a member of the Inter-State Transport Commission with immediate effect in place of Shri D. D. Suri, and makes the following amendment in the notification of the Government of India in the Ministry of Transport and Communications (Department of Transport) No. 11-ISTC (1)/58, dated the 14th August, 1958, namely:—

In the said notification, for item (b)(i), the following item shall be substituted, namely:—

"(i) Shri K. Srinivasan, Deputy Secretary Ministry of Transport and Communications (Department of Transport)."

[No. 1-T(50)/61.]
 JASWANT SINGH, Under Secy.

(Department of Transport)

(Transport Wing)

CORRIGENDUM

New Delhi, the 29th April 1961

S.O. 1015.—In rule 6 of the Motor Vehicles (Third Party Insurance) Amendment Rules, 1960, published on pages 126–129 of Part-II Section 3(ii) of the Gazette of India No. 1, dated the 7th January, 1961, under S.O. 44, dated the 29th December, 1960, for the word “section (3)” read “sub-section (3)”.

[No. 3-TL(3)/58.]

VINOD KUMAR SETH, Under Secy.

(Department of Transport)

(Transport Wing)

MERCHANT SHIPPING

New Delhi, the 25th April 1961

S.O. 1016.—In exercise of the powers conferred by sub-section (1) of section 86 of the Merchant Shipping Act, 1958 (44 of 1958), the Central Government hereby declares that the certificates of competency specified in the Schedule annexed hereto issued by the Republic of Ireland shall, for the purposes of the said Act, be recognised as equivalent to the corresponding certificates of competency issued in India.

SCHEDULE.

Master (foreign-going).

First Mate (foreign-going).

Second Mate (foreign-going).

First Class Engineer (Steamship).

First Class Engineer (Motorship).

First Class Engineer (Steamship and Motorship).

Second Class Engineer (Steamship).

Second Class Engineer (Motorship).

Second Class Engineer (Steamship and Motorship).

[No. 67-MA(12)/57.]

N. U. RAVAL, Under Secy.

(Department of Transport)

(Transport Wing)

PORTS

New Delhi, the 27th April 1961

S.O. 1017.—In pursuance of sub-section (3) of Section 6 of the Bombay Port Trust Act, 1879 (Bombay Act VI of 1879), the Central Government hereby publishes the following return received from the Bombay Municipal Corporation, Bombay:

Return showing the names of persons elected in accordance with the provisions of the Bombay Port Trust Act, 1879, to be members of the Board of Trustees of the Port of Bombay upto 31st March 1963.

Name of Electing Body

Name of persons elected

Municipal Corporation
of Greater BombayShri V. N. Desai.
Dr. S. G. Patel.

[No. 8-PG(1)/61.]

M. V. NILAKANTA AYYAR, Under Secy.

(Department of Communications and Civil Aviation)

(P. & T. Board)

New Delhi, the 25th April 1961

S.O. 1018.—In exercise of the powers conferred by Section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes with effect from the 1st May, 1961, the following rules further to amend the Indian Telegraph Rules, 1951, namely:—

1. These rules may be called the Indian Telegraph (Third Amendment) Rules, 1961.

2. In rule 396 of the Indian Telegraph Rules, 1951, the following sub-paragraph shall be inserted at the end, namely:—

“The minimum charge for a radio telegram shall be as for seven words”.

[No. 2-10/61-R.]

S. R. BANERJEE,
Controller of Telegraph Traffic.

MINISTRY OF REHABILITATION

(Office of the Chief Settlement Commissioner)

New Delhi, the 25th April 1961

S.O. 1019.—In exercise of the powers conferred by Sub-Section (i) of Section 8 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950) the Central Government hereby appoints Shri R. L. Bhasin, Managing Officer in the office of the Regional Settlement Commissioner, Bihar (Patna) as Assistant Custodian for the State of Orissa for the purpose of discharging the duties assigned to the Custodian by or under the said Act with effect from the date he took over charge of his office.

[No. 4(45)Admn(Prop)59.]

S.O. 1020.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation and Rehabilitation) Act (44 of 1954) the Central Government hereby appoints Shri R. L. Bhasin, Managing Officer in the office of Regional Settlement Commissioner, Bihar (Patna) for the State of Orissa as Managing Officer for the Custody, Management and Disposal of Compensation Pool with effect from the date he took over charge of his office.

[No. 4(45)Admn(Prop)/59.]

K. B. MATHUR, Under Secy.

(Office of the Chief Settlement Commissioner)

New Delhi, the 26th April 1961

S.O. 1021.—whereas the Central Government is of opinion that it is necessary to acquire the evacuee properties specified in the Schedule hereto annexed, in the Union territory of Delhi for a public purpose, being a purpose connected with the relief and Rehabilitation of displaced persons, including payment of compensation to such persons;

Now, therefore, in exercise of the powers conferred by section 12 of the Displaced persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954) it is notified that the Central Government has decided to acquire, and hereby acquires, the evacuee properties specified in the said Schedule.

THE SCHEDULE

Sl. No.	Particulars of Property Khewat No.	Khaera No.	Area Big. Bis.	Name of the evacuee with the rights in the Property	Remarks
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VILLAGE JATKHORE

1	65 etc./104 etc. 22/120/2		0 13	Sunchra S/o Bale 12 shares. Fatch Uddin, Bashir, Hukmi, Rup Chand S/o Sultan, equal share 12 shares Smt. Surti Wd/o Ali Sher. Smt. Khazana Wd/o Ibrahim equal to share 24 shares, Risalu Nizamu Ss/o Munshi equal share 16 shares, Jumma alias Mansaf Ali s/o Ranjit 24 shares, Noor Bux, Noor Mohd s/o Manful equal shares 96 Shares, Meher Uddin, s/o Saudager 4 shares. Hira s/o Badlu 12 shares. Bali Shera S/o Bhuru equal shares 144 shares mortgagors Mst. Surti Wd/o Ali Mohd. Mst. Khazana Wd/o Ibrahim equal share Mortgage. Total 344 shares.	
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2	69, 77, 79/115, 18/22 125, 127.	3 24 19/25/3 22/16 23/7 10 12 37/5/2/ 1 min 6 39/11 12 19 22	6 4 4 2 8 4 16 3 14 4 16 4 16 0 5 3 10 4 16 4 16 4 16 4 16	Meheruddin S/o Saudager 1/4 share. Hira S/o Badlu 3/4 share, evacuee.
		Total .	50 19	
3	7/45	198 men 198 men 203	0 16 0 16 2 10	Farid Bux S/o Aziz Bux 8087 shares, Garib Mahiuddin, Gulam Hussain Nabirgan Mst. Mahboob Fatima. Poti Zabida Begum wd/o Gulam Gaus 4149 shares. Manzoor Mahi- uddin S/o Gaus Mahiuddin Mst. Manzoor Fatima Dukhter Gaus Mahiuddin Makbool Fatima bibi Daughter of Faker Bibi 876 shares. Abdul Keder S/o Abdul Hakim 12075 shares. Abdul Razak H/o Mst. Ashia Bibi 2093 shares.
		Total .	4 2	

VILLAGE DINDARPUR

4	87/117	741/1	1 16	Chandu S/o Albila Jat.
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VILLAGE SATBARI

5	141/225	313/2	1 10	Shakura, Hamzaali cosharer equal shares evacuee mortgagees Kalva S/o Harnam mortgagee non-evacuee vested in custodian.
6	219/220 221/358 to 361	102 96/1 87/2 87/3	2 0 1 12 0 18 0 18	Allah Bux S/o Mirza 1/2 share evacuee Mauji S/o Mirza 1/2 shares non- evacuee vested in custodian.
		Total .	5 8	

Sl. No.	Particulars of Khasra Area Property	Area No.	Big. Bis	Name of the evictee with the rights in the Property	Remarks
					Khewat No.

VILLAGE JHAFFERPUR alias HIRAN KUDANA

13	55, 58, 53, 54, 76 to 78 & 81.	455/3	1	12	Mohd. Hussan S/o Khubi 7½ shares. Rasula S/o Pholu 7½ shares. Matria S/o Shadi 1/3 share. Mangey, Shiv Lal S/o Sukhdev in equal shares 1/3 share. Ram Sarup, Nihal Chand, Sheo Nath in equal share 1/3 share. 'dor' 77 shares. Evacuees. Makhan, Ghisan Ramzani S/o Gir- dhari in equal shares 28 shares. Non-evacuee vested in Custodian.
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[No. 1(5)/Lands/61.]

S. W. SHIVESHWARKAR, Jt. Secy.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 26th April 1961

S.O. 1022.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Jamadoba Colliery of Messrs. Tata Iron and Steel Co., Ltd., P.O. Jealgora and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD

REFERENCE No. 40 of 1960.

Employers in relation to the Jamadoba Colliery of Messrs. Tata Iron and Steel Co., Ltd., P.O. Jealgora.

AND

Their workmen.

PRESENT

Shri Salim M. Merchant, Presiding Officer.

APPEARANCES:

For the employers.—Shri G. Prasad, Personnel Officer.

For the workmen.—Shri B. N. Sharma, Member, Executive Committee, Colliery Mazdoor Sangh.

STATE: Bihar.

INDUSTRY: Coal.

Camp Bombay the 14th April 1961

AWARD

The Government of India, by the Ministry of Labour and Employment's Order No. 1/40/60-LRII dated 3rd September, 1960, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, (14 of 1947) was pleased to refer to the industrial dispute between the parties abovenamed in respect of the matters specified in the following schedule to the said order to the adjudication of the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act, and upon the demise of the Presiding Officer of the said Tribunal on 20th January, 1961, the Central Government was pleased by notification No. F. 21(1)/61-LRIII dated 16th February, 1961, made under powers conferred by section 8 of the Act, to appoint me to the said vacancy.

SCHEDULE.

"Keeping in view the nature of duties performed by the following 20 Line Mistris of Jamadoba Colliery, what in terms of the Coal Award should be the category in which these workmen should be placed and with effect from which date after the 25th July, 1958?

1. Munshi Mistry.
2. Kabir Mistry.
3. Gendu Mistry.
4. Fuchu Mistry.
5. Jwala Singh.
6. Bihari Mistry.
7. Doman Mistry.
8. Ramdhani Mistry.
9. Bhola Mistry.
10. Dhanjay Mistry.
11. Puran Mistry.
12. Guhi Mistry.
13. Hakim Mistry.
14. Darku Mistry.
15. Gulab Mistry.
16. Bhusan Mistry.
17. Panchu Mistry.
18. Kalpa Mistry.
19. Nandu Mistry.
20. Chhoty Mistry.

2. The dispute was thereafter taken up for hearing by me on 9th March 1961, on which date, with the representatives of the parties, I inspected the work of the line mistries in Jamadoba Colliery. It is admitted that these 20 line mistries have been placed by the management in category V in implementation of the Majumdar Award as modified by the Labour Appellate Tribunal's decision, the daily basic wage for which category is fixed at Rs. 1/5/- . It is admitted that the line mistries have been placed by the Majumdar Award in categories III to VII. For categories VI and VII the daily basic wage is Rs. 1/6/-, and Rs. 1/14/- respectively. The qualifications of line mistries of these various categories are described in the notes on categorisation forming part of appendix XII of the Majumdar Award (page 1305) as they are as follows:—

"Line Mistry (Job Description No. 217)—(See also job description No. 1 Track Mazdoor and Job Description No. 51—line mazdoor). Line mistries have been placed in categories III, IV, V, VI and VII. Category IV mistry is a line mistry working on light track underground or on heavier track over 30 lbs. per yard on the surface. The line mistry in category V is a general mistry accustomed to laying heavy section track over 30 lbs per yard but with limited experience. Category VI and VII line mistries are mistries capable of dealing with any type of track with heavy sleepers and who are capable of making proper curves, banking the track and in general doing first class line work."

3. Now, it is admitted that in Jamadoba Colliery the tracks are of 50 to 60 lbs per yard of rail. There is, however, a section where lines under 30 lbs. are being worked and there are four line mistries working in that section, but they are not covered by this reference. In the rest of the sections the lines are from 50 to 60 lbs. It is further admitted that under appendix XII to the Majumdar Award line mistries of category VI and VII are referred to as "Line" and in appendix XI which gives the occupational nomenclatures and job Descriptions under Serial No. (217). "Line" is described as follows:—

(217) Line (Track up to 30 lbs. per yard) (Track of 30 lbs. per yard or over).

"A manual worker who lays and maintains tracks generally 2'0" gauge, on which the tubs or mine cars run. The weight of the rails varies, but 24 lbs. per yard of rail is the commonest weight. The sleepers

used are generally designated as "rough tram line". For diesel locomotives haulage heavier track and sleepers are generally used than for rope haulage tracks (See 51)" Serial No. 51 describes Line Mazdoor.

4. The union by its letter dated 28th March 1959 addressed to the Conciliation Officer (Central) Dhanbad demanded for these 20 line mistries category VII on the ground that they were doing all sorts of skilled jobs in dealing with heavy tracks and sleepers; that mine cars and locomotives are used in the Jamadoba Colliery; that the line mistries have to make proper curves to bank the tracks and in general to do first-class line work and that in spite of this none of the line mistries, however senior or skillful, had been placed in category VII.

5. The management in its written statement in reply has pointed out that under the Majumdar Award line mistries have been placed in categories III to VII and that only three line mistries, out of these 20, were engaged on main haulage line. The management admits that the weight of the rails in all sections is 50 lbs. except in No. Incline, Dungri Drift and Digwadli Drift where it is 60 lbs. that the concerned line mistries are in general accustomed to lay heavy section tracks with limited experience; that none of the line mistries are banking the track or doing in general any first-class line work but are only making ordinary curves, and that in view of the nature of duties performed by the Line mistries they are not entitled to be placed in category VI or VII; that the line mistries have been properly categorised and were being paid proper wages. The management, therefore, has denied the claim for any higher category.

6. The union in its rejoinder dated 12th November, 1960, had denied the statements of the management, and has urged that under the scheme of categorisation of line mistries the heavier the track on which the line mistries have to work, the higher the category to which they are entitled; that these line mistries have been working on heavy tracks of 50 lbs. and 60 lbs. for over 15 years. The union has, therefore, denied that these workmen have limited experience and has claimed that these line mistries are entitled to category VII on the job description contained in item No. 217 in Appendix 11 of the Majumdar Award referred to earlier.

7. At the hearing, the union led the evidence of one of the line mistries, namely, Puran son of Nago who is serial No. 11 in the order of reference. He deposed that the work of laying tracks, fitting of crossings and the maintenance of the lines are done by these line mistries; that in the Jamadoba Colliery there are mine cars which are drawn by locomotives; that in no other colliery of Tatas are mine cars and/or locomotives used nor are there tracks of 50 lbs. to 60 lbs. per yard of rail. Witness stated that the work of making curves which is considered difficult and skilled is also done by these line mistries, as also the fitting of rails; that none of the 20 line mistries under reference had been ever charge-sheeted or suspended for not properly carrying out any of their duties; that each one of these 20 line mistries does every kind of work connected with the laying and maintenance of the lines. It was suggested in cross-examination that these line mistries were not doing first-class work in laying the track or its maintenance and that frequent derailments were due to the inefficient manner in which the line mistries did their work. Witness stated that derailments were partly due to dog nails getting loose, and the rails becoming shaky, which leads to mine cars and locomotives going off the rails. Witness further stated that derailments were also due to the wheels of the mine cars becoming defective and because of damaged sleepers. Witness fairly admitted that it was the duty of the line mistries to see that the dog nails do not get loose but he stated that they could not possibly help that as they are asked to do diverse duties in maintenance of the track and no particular track is placed under the supervision of a particular number of line mistries; that derailments were also partly due to shortage of hands because of which a whole section is placed in charge of a single mstry.

8. The management's witness Shri Baleba Sanjeeva Rao, Agent, Jamadoba Group of Collieries, in his cross-examination stated that in his opinion the work of these line mistries was not of first-class quality. He stated that the management in fact did not expect first-class work from its line mistries in this colliery and therefore he would not place them in category VI or VII. According to him first-class work in laying lines can only be the type of work that is done in laying metre gauge line on the railways. He stated that the frequent derailments of the mine cars and locomotives in Jamadoba Colliery, of which he filed a statement (exhibit E-1), was due to defective line laying and imperfect maintenance work. He considered the number of line mistries employed in the Jamadoba Colliery to be adequate. He further stated that the Assistant Managers give directions to the

line mistries. As an instance of the bad work done by the line mistries he cited the instance of a defective line which had recently been fixed on which mine cars could not be run, and which was pointed out during inspection. He stated that good quality sleepers were supplied and that by the sleepers being placed at a short distance of 2 ft. instead of the normal 3 ft., the cost of construction would be increased. He stated that in a first-class line the course should be smooth and the point at which the curves start must be at sufficient distance so that the main track is not curved at the point of the crossing and the curve. Considering the way the lines are laid he did not consider that any of these line mistries should be placed in category VI or category VII.

9. This reference has to be decided on the nature of the duties performed by the 20 line mistries mentioned in the order of reference and in doing so the job description in item No. 217 of appendix XI of the Majumdar Award must be the test. From the evidence on record and the submissions made by the parties one thing is quite clear that the tracks in Jamadoba Colliery are of 50 and 60 lbs per yard of rail which undoubtedly are heavy tracks. Tracks over 30 lbs. are under item No. 217 of Appendix XI heavy lines. It is admitted that this is the only colliery of Tatas in which mine cars are used, some of them having a capacity of 120 c.ft., as against the normal 36 c.ft. capacity of tubs. It is also admitted that this is the only colliery of the Tatas in which locomotives—some of them electrically driven—are used. It was admitted at the hearing that mine cars are being used in the Jamadoba Colliery since the last over ten years and locomotives since about 1925. It is also admitted that the Jamadoba Colliery has four separate tracks and that the lines measure between fourteen to fifteen thousand feet in length. The management's witness Shri Rao admitted that the track is of 3 ft. 6" gauge which is the same as the meter gauge on the railways. As the gauge is broader the sleepers used are not of rough tram line quality but are standard M.G. sleepers. It is not seriously disputed that there are few collieries in India which are as mechanised as and where the track is heavier than, in the Jamadoba Colliery. That the line mistries in the Jamadoba Colliery were doing more responsible and skilled work than the line mistries in other collieries of Tatas is proved by the fact that even before the Majumdar Award four of the line mistries in the Jamadoba Colliery were being paid a basic wage of Rs. 1/4/- per day and the remaining 16 were on a basic wage of Re. 1/-. In the other collieries of Tatas, the prevalent pre-Majumdar Award daily rate was either 12 annas or Re. 1/- and that under the Majumdar Award they have been placed in category IV with a basic wage of Rs. 1/4/-, whilst the line mistries in the Jamadoba Colliery who were formerly getting a proportionately higher salary have been placed in category V on a basic wage of Rs. 1/5/- per day, which is only one anna more per day than what the line mistries in the other collieries of Tatas get. The point of the contention being that the wage differential had not been properly maintained.

10. In my opinion there is not the least doubt that the line mistries in the Jamadoba Colliery are doing the work of first-class line mistries and that they substantially performing the jobs described in item No. 217. Shri Rao has stated that in his opinion these workmen are not doing the work of first-class mistries. From the evidence of Shri Rao it appears that he would classify that work of laying the tracks and its maintenance as being first-class which would come up to the standard of the metre gauge lines of the railways. I think that is not a proper or fair test, as I cannot possibly imagine how in the underground in a coal mine in the dark and the clamp it would be possible to lay tracks and maintain them in the same condition in which the meter gauge railway lines are maintained by the railways on the surface. It is well known that rarely is the underground surface in a coal mine absolutely even for any considerable distance. I do not think it is fair to place the responsibility for all derailments of mine cars and locomotives on the line mistries. As admitted by Shri Rao there may be many causes for derailments and the workmen's witness has stated that derailments are very often caused because of the defective wheels of the mine cars and the locomotives. It is admitted that in this colliery all the line mistries have to attend to every kind of work and that no fixed number of line mistries are asked to supervise a particular track or line.

11. The management in its written statement has suggested that these line mistries have only limited experience. At the hearing the management gave me the details of the length of service of each of these 20 line mistries and an analysis of the particular furnished show that as many as 10 of these 20 line mistries have been working as line mistries in this very colliery, i.e. the Jamadoba Colliery for over 20 years now, four of them having put in as many as 32 years service. To say that line mistries who have spent their working lives looking after these lines and who have not in all these long years of service even once been warned or punished in any way for bad work, as having only limited experience, is, to be

unfair to them particularly so in an industry where the constant complaint is that the labour force is not stable. I am also of the opinion that the agreed categorisation under appendix XII and job Descriptions under appendix XI of the Majumdar Award was based on existing conditions in the coal mines and category VI and VII were provided for line mistries because, as in Jamadoba Colliery, there are line mistries doing jobs of those categories. To say that in the best of collieries in the coal field—and Jamadoba is one such—where heavy lines are used for mine cars and locomotives—there were no line mistries who could be placed in category VI or VII would be tantamount to saying that the categorisation was hypothetical, which suggestion Shri Rao very fairly denied. Five of them have put in service over 10 years and four are in service for less than 10 years. Of these 20 line mistries, Shri Doman Mistry (Serial No. 7) and Shri Nandu Mistry (Serial No. 19) both of whom had put in 24 years service, have since this dispute was referred to adjudication, been discharged from service on medical grounds, on 21st June 1960 and 18th June 1960 respectively. I have not the least doubt that these line mistries are very experienced line mistries and the fact that none of them in all these long years has been ever warned or punished for inefficient discharge of their duties would testify to the satisfactory manner in which they have been doing their duties.

12. The union has claimed that all these 20 line mistries should be placed in category VII. It is no doubt true that length of service does not necessarily determine respective skills of the workmen. But considering that in item 217 of the job description, there is a specific reference to extent of experience to determine which, in my opinion, length of service would be relevant factor, and in the absence of any material to assess the respective skill of each of these 20 line mistries, I think that the only yardstick, considering the nature of the duties performed by them, for determining which of them should be classified in category VII, should be the length of their service. Even before the Majumdar Award four of these workmen, namely,

1. Shri Munshi Mistry (Serial No. 1)
2. Shri Kabir Mistry (Serial No. 2)
3. Shri Gendu Mistry (Serial No. 3)
4. Shri Fuchu Mistry (Serial No. 4)

(three of whom have put in 32 years' service), were getting a basic pay of Rs. 1 1/4/- per day whilst the remaining 16 were getting Rs. 1/- per day which would show that men with the longest service were considered more skilled and efficient and therefore entitled to higher wages. As I have stated above, the following 10 workmen, including the four mentioned above, namely,

1. Shri Munshi Mistry (Serial No. 1)
2. Shri Kabir Mistry (Serial No. 2)
3. Shri Gendu Mistry (Serial No. 3)
4. Shri Fuchu Mistry (Serial No. 4)
5. Shri Busan Mistry (Serial No. 16)
6. Shri Gulab Mistry (Serial No. 15)
7. Shri Dhanjay Mistry (Serial No. 10)
8. Shri Guhl Mistry (Serial No. 12)
9. Shri Doman Mistry (Serial No. 7) and
10. Shri Nandu Mistry (Serial No. 19)

have admittedly put in more than 20 years' service as line mistries and in my opinion considering the nature of their duties and the length of their service, I would be on safe grounds to direct that each of them should be placed in category VII. Considering the nature of the duties of the remaining 10 line mistries viz.,

Approximate length of Service as line mistry
Years Months

1. Shri Jwala Singh (Serial No. 5)	9	3
2. Shri Bihari Mistry (Serial No. 6)	14	2
3. Shri Ramdhani Mistry (Serial No. 8)	11	4
4. Shri Bhola Mistry (Serial No. 9)	15	—
5. Shri Puran Mistry (Serial No. 11)	12	4
6. Shri Hakim Mistry (Serial No. 13)	7	6
7. Shri Darku Mistry (Serial No. 14)	10	—
8. Shri Panchu Mistry (Serial No. 17)	7	3
9. Shri Kalpu Mistry (Serial No. 18)	9	4
10. Shri Chhotu Mistry (Serial No. 20)	14	—

each of whom has put in more than seven but less than 20 years service, as indicated above, I think it would be fair to place them in category VI and I therefore direct accordingly.

13. The next question to determine is from what date the benefit of the scales of pay of these categories should be awarded to them. Under the reference the benefit can only be granted after 25th July 1958. The demand for grade VII was first made by the union by its letter dated 28th March 1959. Considering all the facts and circumstances of the case, I think the proper thing to do would be to grant them the benefit of the scales of pay of categories VII and VI as stated above with effect from 1st April 1959, and I direct accordingly.

14. It was stated at the hearing that Shri Doman Mistry (Serial No. 7) and Shri Nandu Mistry (Serial No. 19) were discharged from service on medical grounds on 21st June 1960 and 18th June 1960, respectively. As I have given the benefit of this award to these workmen with effect from 1st April 1959, Shri Doman Mistry (Serial No. 7) and Shri Nandu Mistry (Serial No. 19) shall be entitled to the benefit of category VII scales of pay with effect from 1st April 1959 till 21st June 1960 and 18th June 1960 respectively, the dates on which they were discharged from service.

15. I further direct that the dues of the workmen under this award shall be worked out and paid to them within one month of the award coming into force.

16. As the workmen have succeeded, I award Rs. 100/- as costs to the union.

(Sd.) SALIM M. MERCHANT,
Presiding Officer,
Central Government Industrial Tribunal,
Dhanbad.

[No. 1/40/60-LRII.]

New Delhi, the 28th April 1961

S.O. 1023.—In exercise of the powers conferred by Section 4 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour & Employment No. S.O. 2021, dated the 6th August, 1960, namely:—

In the said notification, after the existing entry “(iv) all banking and insurance Companies”, the following entries shall be inserted, namely:—

“(v) all controlled industries specified by the Central Government under sub-clause (i) of clause (a) of section 2 of the Industrial Disputes Act 1947;
(vi) the Employees’ State Insurance Corporation”.

[No. F. 1/25/61-LRI.]

ORDER

New Delhi, the 2nd May 1961

S.O. 1024.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Ballarpur Colliery and their workmen in respect of the matters specified in the Schedule hereto;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Ballarpur Colliery was justified in transferring Sarvashri (i) Katkam Mallaya, (ii) Sampat Shrawan Gaikawad and (iii) Kachroo Soma from surface work to underground work? If not, what relief should be given to them?

[No. 2/85/61-LRII.]

A. L. HANNA, Under Secy.

New Delhi, the 26th April 1961

S.O. 1025.—In pursuance of section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following awards of the Labour Court, Delhi, in the matter of applications under section 33A of the said Act from Shri Jugal Kishore and Shri Tek Chand Sharma employees of the State Bank of Patiala.

BEFORE THE CENTRAL GOVT., LABOUR COURT AT DELHI.

PRESENT:

Shri E. Krishna Murti, Central Government Labour Court, Delhi.

New Delhi, the 5th April 1960

J.D. No. 25 of 1961.

Application U/S. 33A of the Industrial Disputes Act, 1947.

Shri Tek Chand Sharma, Assistant Cashier, State Bank of Patiala, Phagwara, C/o. The All India Bank Employees' Association, Bombay-1—*Complainant.*

Vs.

The State Bank of Patiala, Head Office, Mall, Patiala—*Respondent.*

Shri Tek Chand worker in person for the workman.

Shri Joginder Singh for the Bank.

In the matter of Ref.—No. 1 of 1960, pending before the National Industrial Tribunal, (Bank Disputes), Bombay-1.

AWARD.

This is a petition under Section 33A of the Industrial Disputes Act.

2. The petitioner alleges, that he joined the service of the State Bank of Patiala on 15th November, 1950, as Assistant Cashier, that the opposite party had stopped one grade increment, but without future effect, on 1st October, 1959, that the petitioner was entitled to get the aforesaid increment restored, that it has been improperly withheld, that another increment in the grade fell due to the petitioner on 1st October, 1960, that both increments were withheld by the Bank, that this amounts to an alteration of the conditions of service to the prejudice of the workman, that he is a protected workman, and that suitable relief should be granted to the petitioner.

3. The contention on behalf of the Bank is, that the petitioner was drawing only Rs. 100—with effect from 1st October, 1958, that he was at the efficiency bar, that charge-sheets were served upon him, that an enquiry into the charges had been ordered, that the petitioner has not yet been certified to be a fit person to cross the efficiency bar, that according to Rule 70 the Bank is entitled to withhold the increment till the efficiency bar is crossed, that there has been no alteration till the efficiency bar is crossed, that there has been no alteration in the conditions of service, that the petitioner is not entitled to any relief, and that, in any case, the petition does not attract Section 33(3), and (4) of the Act.

4. The issues for determination are:—

(1) Whether there has been an alteration of the conditions of service to the prejudice of the applicant?

(2) To what relief, if any, is the petitioner entitled?

Issue No. 1.

5. The petitioner, Shri Tek Chand Sharma, is an Assistant-Cashier in the State Bank of Patiala, Phagwara. He is said to be the acting General Secretary of the Union. It is admitted on behalf of the Bank, that he is in the scale 60—4—80—5—100—EB—6—112—7—140—8—156—EB—8—164—9—200. The said scale is reproduced in the petition, but the reference to efficiency bar is entirely omitted.

6. It is stated before me by either party, that the Sastry Award does not apply to the facts of this case, and that the Bank has got its own rules and regulations and grades.

7. According to the petitioner's case, one grade increment was due to him on 1st October, 1959. This was stopped "without future effect", according to the letter of the Bank dated 28th January, 1960. The petitioner was entitled to get the said increment restored on 1st October, 1960. By that time another increment in the grade fell due to the petitioner on 1st October, 1960. Thus the petitioner was entitled to recover both the increments, but the opposite party withheld the same. The complaint of the petitioner now is, that the Bank has not paid upto the date of filing of this petition, the two increments, in question, that they have been wrongfully withheld, that this amounts to a wrong alteration of the conditions of service to the prejudice of the workman, and that the Bank must be directed to pay the amounts that have been wrongfully withheld. On behalf of the workman reliance has been placed upon Paragraphs 51 and 68 of the Rules of the Bank. A copy of the Rules of the Bank has been produced, and it is provided in Rules 68 and 69 as follows:—

"68. The increments shall in every case be subject to the sanction of the Managing Director and granted as and when they fall due. Whenever an increment is due to an employee, a report on his ability, work, conduct towards the constituents and staff and general conduct shall be submitted to Managing Director alongwith the recommendation of the Manager. It shall be in the discretion of the competent authority to delay, cancel or withhold the increments in the event of an employee earning unfavourable report provided that in such cases provision of Rule 51 shall be complied with.

69. In an incremental scale, the increment shall accrue on the completion of each specified period of service on each stage of that scale, whether such service be probationary, officiating or substantive.

Acting service in a higher grade will count for increments in a employee's substantive grade as well as in the higher grade in which he is acting and if there is an intermediate grade between the two in which he would have officiated had he not been appointed to officiate in the higher grade, also in the intermediate grade, but the period during which an employee is on leave without pay will not count for increment unless so authorised by competent authority for reasons to be recorded in writing."

8. The contention on behalf of the workman is, that according to Rule 69, the increment accrued on the completion of the specified period of service at each stage of the scale, and that the Bank is not entitled to withhold the same. Attention has also been drawn to Rule 51, which deals with the punishment to be imposed on workmen.

9. In my opinion, the contention on behalf of the workman is not entitled to weight. True, Rule 69 lays down, that increment shall accrue on the completion of a specified period of service. This merely means, that on a particular date a certain increment accrues. In other words, that relates to the completion of the period of service necessary in order to enable a workman to earn an increment. But it has nothing to do about the release of an increment. The relevant rule applicable to the facts of this case for release of the increments due, is Rule 70, which is in the following terms:—

"70. The authority with-holding increment of an employee shall state the period for which it is with-held and whether the postponement has the effect of postponing future increments. In case the order is not clear on this point, it will be presumed that the intention was not to affect the future increments:

Provided that if in an incremental scale there is an efficiency bar, an employee shall not draw increments above that bar until he has been certified fit to do so by the competent authority. On each occasion on which an employee is allowed to pass an efficiency bar which has previously been enforced against him, he shall be placed in the incremental scale at such stage as the authority competent to remove the bar may fix provided that such stage shall not be higher than that at which he would draw his pay if the bar had not been enforced against him and further that no increments granted on the removal of a bar shall have a retrospective effect".

When there is an efficiency bar in the scale, an employee is not entitled to draw increment above that bar, unless he has been certified fit to cross the bar by the competent authority. The management have produced Ext. M/1, as containing the scale of pay for the members of the staff. There is an efficiency bar at the stage Rs. 100 in the scale, applicable to the present petitioner. The petitioner has deliberately omitted all reference to the efficiency bar at the stage

"100" in his petition. Ext. M/2, is a copy of the charge-sheet dated 8th December, 1960, addressed to the workman. Ext. M/3, is the reply dated 17th December, 1960. Ext. W/1 is a letter dated 28th January, 1960, stopping an increment, without future effect. Ext. W/2, dated 19th December, 1960, is the order of the management, that the matter of grant of increment was receiving attention. It is no doubt true, that one increment was stopped, without future effect, but the important fact to be noticed is, that this increment was after the stage 100, where there is an efficiency bar. In face of Rule 70, which provides that an employee shall not draw an increment above the efficiency bar unless he has been certified fit to do so by the competent authority, it is not possible to hold, that the increments now complained of have been wrongfully withheld. The Bank has served a charge-sheet on the workman and the enquiry into the charge is pending. From the letter of the Bank it is clear, that the matter in regard to the petitioners' claim, is being considered. There has been no wrongful withholding of the increment in view of the conditions of service applicable to the employees, and in face of Rule 70 of the Rules and Regulations. It is also necessary to remember, that under Rule 68, the increment shall in every case be subject to the sanction of the Managing Director. Whenever an increment is due to an employee, a report on his ability, work, conduct towards constituents and staff, and general conduct shall be submitted to the Managing Director, along with the recommendations of the Manager. It is within the discretion of the competent authority to delay, cancel or withhold the increment in the event of an employee earning unfavourable report, provided that in such cases the provision of Rule 51 is complied with. There is, no alteration of the conditions of service of the employee to his prejudice. The action of the Bank in withholding the increments before the workman was certified to be fit to cross the efficiency bar is not wrongful. I find, accordingly, and hold, that there has been no alteration of the conditions of service to his prejudice, as contended on his behalf.

Issue No. 2.

10. The workman is not entitled to any relief in this petition.
11. In the result, the petition is dismissed. No order as to costs.
12. An award is passed accordingly.

(Five pages).

5th April, 1961.

Sd/- E. KRISHNA MURTI,
Central Govt. Labour Court: at Delhi.

BEFORE THE CENTRAL GOVERNMENT, LABOUR COURT AT DELHI.

PRESENT:

SHRI E. KRISHNA MURTI, Central Govt., Labour Court.

The 5th April 1961

I. D. No. 26 OF 1961

Application U/S. 33A of the Industrial Disputes Act, 1947.

Shri Jugal Kishore, Assistant Cashier, State Bank of Patiala, Narwana,
C/o. The All India Bank Employees' Association. Bombay-1—Complainant.

AND

The State Bank of Patiala, Head Office, Mall, Patiala—Respondent.

Shri Joginder Singh for the Bank.

Shri Jugal Kishore workman in person.

In the matter of Ref. No. 1 of 1960, pending before the National Industrial Tribunal, (Bank Disputes), Bombay-1.

AWARD

This is a petition under Section 33A of the Industrial Disputes Act.

2. The petitioner alleges, that he is an Assistant Cashier in the State Bank of Patiala, that the increment in the grade applicable to Assistant Cashiers fell due

to him on 1st October, 1960, that the increment had been withheld and delayed by the Bank, that, under Rules 51 and 68 of the Bank, increment cannot be withheld except in the case of disciplinary action, that there has been an alteration in the conditions of service, that the petitioner is a protected workman, and that the amount, as claimed, must be directed to be paid by the Bank.

3. The contention on behalf of the Bank is, that the grade of the Assistant Cashier is not as mentioned in the petition, that it is true, that the petitioner's increment fell due on 1st October, 1960, that the same has not been withheld, or delayed by the Bank, that his case for increment is under consideration, that, according to the rules, no employee gets an increment unless it is sanctioned by the Managing-Director, that the case of the employee is still under consideration, that there has been no alteration of the conditions of service, and that he is not entitled to any relief.

4. The issues, that arise for determination, are:—

- (1) Whether there has been an alterations of the conditions of Service?
- (2) To what relief, if any, is the petitioner entitled?

Issue No. 1.

5. The petitioner is an Assistant Cashier in the State Bank of Patiala, and he is said to be a protected workman.

6. According to the case of the petitioner, he is in the scale 60—4—80—5—100—6—112—7—140—8—156—8—164—9—200. An increment in the grade fell due to him on 1st October, 1960. The petitioner complains, that this increment has been withheld and delayed by the Bank, that the same has not been paid up to the date of the petition, and that this amounts to an alterations of the conditions of service applicable to him.

7. The contention on behalf of the Bank is, that there has been no alteration of the conditions of service at all, and that the petitioner is not entitled to any relief.

8. At the outset, it must be mentioned, that the scale has not been correctly set out in paragraph 2 of the petition. According to the management, the correct scale is as follows:—

60—4—80—5—100—EB—6—112—7—140—8—156—EB—8—164—9—200. The workman sent Ext. W/1, a representation, regarding the fact, that he had not been paid the increment. Ext. M/5 is a staff confidential report in respect of the petitioner dated 14th September, 1960. Ext. M/6, is a letter, that was addressed to the Bank dated 31st October, 1960, by Shri Jugal Kishore, complaining, that the increment, which fell due on 1st October, 1960, had not been received by him. The reply is Ext. M/7 dated 12th November, 1960, and it is to the effect, that the question of grant of annual grade increment was under consideration. Ext. M/8, dated 10th December, 1960, is a copy of the charge-sheet, that was served on the petitioner. Ext. M/9 is a further representation sent by the workman on 30th January, 1961, in regard to the increment. Ext. M/10 is the reply of the Bank dated 15th February, 1961, that the question of increment was receiving attention.

9. It is admitted on either side, that the Sastry Award has no application to the facts of this case. There are separate rules and regulations for the Bank in question, and reliance has been placed upon Rules 68 and 69, which are as follows:—

“68. The increments shall in every case be subject to the sanction of the Managing Director and granted as and when they fall due. Whenever an increment is due to an employee, a report on his ability, work, conduct towards constituents and staff and general conduct shall be submitted to Managing Director along with the recommendation of the Manager. It shall be in the discretion of the competent authority to delay, cancel or withhold the increments in the event of an employee earning unfavourable report provided that in such cases provision of Rule 51 shall be complied with.

69. In an incremental scale, the increment shall accrue on the completion of each specified period of service on each stage of that scale, whether such service be probationary, officiating or substantive.

Acting service in a higher grade will count for increments in an employee's substantive grade as well as in the higher grade in which he is acting and if there

is an intermediate grade between the two in which he would have officiated had he not been appointed to officiate in the higher grade, also in the intermediate grade, but the period during which an employee is on leave without pay will not count for increment unless so authorised by competent authority for reasons to be recorded in writing".

It is not disputed, that the period for earning an increment in the grade applicable to the petitioner was completed by 1st October, 1960. However under Rule 68 it is open to the competent authority to delay, cancel or with-hold an increment in the event of an employee earning an unfavourable report. There is also reference to complying with the provisions of Rule 51. The rule contemplates, that a report on the employee's ability, work, conduct, etc., should be submitted to the Managing Director, along with the recommendations of the Manager. On the facts of the present case, there is a charge-sheet served against the workman. Under the Rules, it is for the competent authority to release the increment. From the letters of the Bank it is clear, that the matter of the grant of increment to the workman is receiving attention. This is entirely in accordance with the rules, and is sanctioned by Rule 68. I fail to see how the workman is entitled to complain, in these circumstances, that there has been an alteration of the conditions of service to his prejudice. The action taken by the Bank is in accordance with the rules and regulations, applicable to the workman, and there is no contravention thereof. I find, that there has been no alteration of the conditions of service, to the prejudice of the workman, as contended on behalf of the workman.

Issue No. 2.

10. In view of my findings, as above, the petitioner is not entitled to any relief.

11. In the result, the petition is dismissed. No order as to costs.

12. An award is passed accordingly.

(Four pages).

5th April, 1961.

Sd./- E. KRISHNA MURTI,

Central Govt., Labour Court: at Delhi.

[No. 55(14)/61-LRIV.]

New Delhi, the 2nd May 1961

S.O. 1026.—In pursuance of section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the employers of Stevedore Workers at the Port of Vizagapatam represented by Shipping Employers Federation and Visakhapatnam Stevedores Association, Visakhapatnam and their workmen represented by Dock Workers Union and Port Khalasis Union, Visakhapatnam.

Arbitration Award submitted to the Central Government under section 10-A clause 4 of the Industrial Disputes Act, 1947.

BETWEEN

The Employers of Stevedore Workers at the Port of Vizagapatam represented by—

(1) Shipping Employers Federation, 20/338, Main Road, Visakhapatnam.

(2) The Visakhapatnam Stevedores Association, 19/148, Main Road, Visakhapatnam.

AND

Their workmen represented by—

(1) Dock Workers Union, Gangulavari Street, Visakhapatnam.

(2) The Port Khalasis Union, Wada Street, Visakhapatnam.

Whereas by an agreement between the parties dated 6th October, 1960, which was published by the Central Government by order dated 24th November, 1960, the following industrial dispute between the parties has been referred to my arbitration *viz.*, "Whether the workers (stevedore labour gangs, winchmen, Tindals, Gangboys etc.) engaged by different stevedoring firms in the first shift on 21st September, 1960, should be paid full wages for the shift? If not, for what portion thereof?"

Now I, having duly investigated the industrial dispute referred to me, do hereby make my award as follows:

I award that the workers (stevedore labour gangs, Winchmen, Tindals, Gangboys etc.) engaged by different Stevedoring firms in the first shift on 21st September, 1960, should be paid wages for 50 per cent of the shift and not full wages.

Dated this 18th day of April, 1961.

Sd./- V. N. DIKSHITULU, Arbitrator,

47-15-5 Dwarakanagar, Visakhapatnam-4.

[No. 28/58/60/LRIV.]

S.O. 1027.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator in the industrial dispute between the employers of Stevedore workers at the Port of Vizagapatam represented by Shipping Employers Federation and Visakhapatnam Stevedore Association, Visakhapatnam and their workmen represented by Dock Workers Union and Port Khalasis Union, Visakhapatnam.

Arbitration Award submitted to the Central/Government under section 10-A clause 4 of the Industrial Disputes Act, 1947—

BETWEEN

The Employers of Stevedore Workers at the Port of Vizagapatam represented by—

AND

(1) Shipping Employers Federation, 20/338, Main Road, Visakhapatnam.

(2) The Visakhapatnam Stevedores Association, 19/148, Main Road, Visakhapatnam.

Their workmen represented by—

(1) Dock Workers Union, Gangulavari Street, Visakhapatnam.

(2) The Port Khalasis Union, Wada Street, Visakhapatnam.

Whereas by an agreement between the parties dated 6th October, 1960, which was published by the Central Government by order, dated 14th October, 1960, the following industrial dispute between the parties has been referred to my arbitration viz. "Whether there should be any additional remuneration/incentive to the Stevedore workers—Stevedore Mazdoors, Winchmen, Gangboys and Tindals—who are called upon to work on sand ballast vessels at Roads? If so in what form or at what rate it should be with effect from 14th August, 1960." Now I, having duly investigated the industrial dispute referred to me, do hereby make my award as follows:—

I award that, with effect from 14th August, 1960, Stevedore workers—Stevedore Mazdoors, Winchmen, Gangboys and Tindals—who are called upon to work on sand ballast vessels at Roads shall be paid additional remuneration/incentive in the form of batta at the rate Rs 1.50 nP. (One rupee fifty naye paise) per head per day, instead of the rate of Re. 1.00 nP. (One rupee) which existed prior to 14th August, 1960.

Dated this 18th day of April, 1961.

Sd./- V. N. DIKSHITULU,

Arbitrator,

47-15-5 Dwarakanagar,
Visakhapatnam-4.

[No. 28/58/60/LRIV.]

G. JAGANNATHAN, Under Secy.

New Delhi, the 27th April 1961

S.O. 1028.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952 and in supersession of the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 253, dated the 21st January, 1961, the Central Government hereby appoints Shri A. Somasundaram as Regional Provident Fund Commissioner for the whole of the State of Madras vice Shri M. V. S. Chowdary. Shri Somasundaram shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. 17(3)/61-PF.I(1).]

S.O. 1029.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), and in supersession of the notification of the Government of India in the late Ministry of Labour S.R.O. 1542, dated the 12th July, 1955, the Central Government hereby appoints Shri A. Somasundaram to be an Inspector for the whole of the State of Madras for the purposes of the said Act and of any Scheme framed thereunder, in relation to establishments belonging to, or under the control of the Central Government, or in relation to establishments connected with a railway company, a major port, a mine or an oil-field, or a controlled industry, vice Shri Subbuswamy I.A.S. (Retired).

[No. 17(5)/61-PFI.(ii).]

New Delhi, the 29th April 1961

S.O. 1030/PWA/14/MINES/4/61.—In exercise of the powers conferred by sub-section (3) of section 14 read with section 24 of the Payment of Wages Act, 1936 (4 of 1936), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 1701/PWA/14/Mines/60, dated the 29th June 1960, namely:—

In the said notification—

In item No. VI—

In entry 9, the following serial shall be inserted at the end, namely:—

'(xxviii) Dhanbad (Implementation)".

[No. 535(13)/61-Fac.]

P. D. GAIHA, Under Secy.

New Delhi, the 29th April 1961

S.O. 1031.—In exercise of the powers conferred by section 73-B of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following further amendments in the notification of the Government of India in the Ministry of Labour and Employment No. HI-1(106)/56 dated the 28th June, 1959, namely:—

In the Table annexed to the said notification—

(i) for the existing entry relating to Madras, the following entry shall be substituted, namely:—

	1	2	3
Madras	Additional Commissioner for Workmen's Compensation, Madras.	1. North Arcot District (excluding the revenue villages of Karai, Manthangal and Thandalam in Walajapet taluk). 2. South Arcot district. 3. Chingleput district (excluding the revenue villages of Tiruvothiyur, Villivakkam, Korattur, Saligramam, Virugambakkam, Valasapakkam, Ambattur, Pallavaram and Pammal in Saidapet Taluk Vandalur Revenue Village in Chingleput taluk and Ennore revenue village of Ponneri taluk).	

4. Coimbatore District (excluding the areas within the municipal limits of Coimbatore the Revenue villages of Telungapalayam, Senganur, Ganapathy, Uppilipalayam, Sowripalayam, Singanallur, Kurichi in Coimbatore taluk, the Revenue Villages of Irugur, Oddarpalayam, Tiruppur, Thottipalayam, Chettipalayam, in Tiruppur Town in Palladam Taluk, the Revenue villages of Bodipatti, Periakottai, Kanakkampalayam, Pulankinar, Udumalpet Taluk in Coimbatore District and the Revenue villages of Perianaiakanpalayam, Narasimhaikanpalayam, Thudialur, Vellakinar, Gudalur, Vilankurichi, Kurudampalayam and Kalapatti in the Coimbatore Taluk).

5. Madurai District (excluding the Revenue villages of North Madurai, East Madurai, Villapuram, West Madurai, Madakulam, Kochadai and Vilangudi in Madurai Taluk).

6. The Nilgiris District.

7. The Ramanathapuram District (excluding the area comprised within the limits of the Revenue villages in Sivakasi Town, the Revenue villages of Kilathiruthangal, Thiruthangal, Sivakasi Viswanatham (Inam), and Viswanatham (Inam) in the Sattur Taluk, the areas comprised within the limits of the Revenue villages in Rajapalayam Town, the Revenue villages of Kothankulam, Samasigapuram Pudupalayam, Inam Thoppupatti, Chettiar-patti, Inam Kadambankulam in the Srivilliputhur taluk).

8. Salem District (excluding the revenue villages of Bodinaiakanpatti, Ammani-Ayyamperupatti, Suramangalam, Jageer Reddipatti, Jageer Ammapalayam, Pallapatti, Periyayeri, Anandanappatti, Salem Town, Shevapet in Salem Taluk, Revenue villages of Komarapalayam in Rasipuram Taluk, Revenue village of Samballi (Mettur Taraff in Omalur Taluk).

9. Tanjore District.

10. Tiruchirapalli District (excluding the revenue village of Palanganatham in Udayarpalayam Taluk local area within the limits of revenue villages in Tiruchirapalli town, the local area within the limits of revenue villages of Abishekapuram, Inam Sengulam, Inam Tennur, Dhamalavarupayam, Edamalaipatti Pudur, Sempattu hamlet of Kottapettu village Inam Jambukeswaram, Vellithirumutham, Kallikudi, Ariyamangalam, Tennur, Inam Periavadavur, Tharanallur in Tiruchirapalli taluk, local area comprised within the limits of revenue village of Thudaiyur in Kolathur taluk.)

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11. Tirunelveli District (excluding the revenue villages of Tuticorin, Sankaraperi, Nolavital, Mullakadu in Srivakuntam Taluk, the revenue villages of Vickramasingapuram, Aladipur and Mela Ambasamudram in Ambasamudram Taluk).

12. Kanyakumari District;"

(ii) for the existing entries 1, 2 and 6 relating to Uttar Pradesh, the following entries shall respectively be substituted, namely:—

1. The Assistant Labour Commissioner, Allahabad.

Allahabad Region consisting of the districts of Allahabad (excluding the areas within the Municipal limits and Cantonment limits of Allahabad and the revenue villages of Sipahadarganj and Mundera situated in Pargana and Tahsil Chail, and Naini, Mahewa, Patti-Purab, Uparhar, Chak Ataullah and Chaka, Chak Dondi, Chak Doudnagar and Chak Lalmohammad Befikar, all situated in Pargana Arail, Tahsil Karchhana in Allahabad district), Mirzapur (excluding the areas within the limits of the Mirzapur Municipality) Banda, Varanasi, Pratapgarh, Sultanpur, Jaunpur, Ghazipur, Ballia and Fatehpur.

2. The Regional Conciliation Officer, Gorakhpur.

Gorakhpur Region consisting of the districts of Gorakhpur (excluding the area within Sahjanwa comprising of revenue villages Gahsar and Keshopur, Tahsil Sadar in Pargana Hasanpur Maghar), Bahraich, Gonda, Azamgarh, Basti and Deoria.

6. The Assistant Labour Commissioner, Meerut.

Meerut Region consisting of the districts of Dehradun, Saharanpur (excluding the area within the jurisdiction of the Saharanpur Municipality and the area comprising of the revenue villages of Sheikhpura Kadeem, and Durra Sheopuri in Saharanpur Tahsil) Muzzaffarnagar, Meerut (excluding the areas within the limits of town area Modinagar and the area within the Municipal limits of Ghaziabad and revenue villages of Dundahera in Tahsil Ghaziabad) and Bulandshahar."

[No. F. HI-1(24)/60.]

BALWANT SINGH, Under Secy.

